

**Common Council  
Regular Meeting**

Tuesday, May 10, 2016, 6:30 p.m.  
City Hall, 31 S. Madison Street, Evansville, WI

**Minutes**

1. **Call to order.** Mayor Bill Hurtley called the meeting to order at 6:30pm.
2. **Roll Call.** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Ben Ladick, Gene Lewis, Josh Manring, James Montgomery, Matt Brown and Erika Stuart (Stuart arrived at 6:52pm). Others present: City Administrator/Finance Director Ian Rigg, City Clerk/Treasurer Judy Walton, City Attorney Mark Kopp, Library Director Megan Kloeckner, Community Development Director Jason Sergeant, and several members of the public.
3. **Approval of Agenda.** Brooks made a motion, seconded by Cole to approve the agenda. Motion approved 7-0.
4. **Approval of Minutes.** Brooks made a motion, seconded by Cole to waive the reading of the minutes of the April 12, 2016 regular meeting and the April 19, 2016 re-organization meeting and to approve them as presented. Brooks noted the following corrections to the minutes on April 12, 2016: Item 7B – Alderperson Stuarts-said they have not met since last meeting but would like Council members and people to attend open house on April 26<sup>th</sup> from 4:30 to 5:30pm. Motion approved 7-0.
5. **Civility reminder.** Recognition of the commitment to civility and decorum at Council meetings
6. **Citizen appearances** – Candidate for Rock County Register of Deeds, Sandy Disrud, gave a brief presentation to the Council. She listed the duties of the office like recording easements, deeds and more. She is being supported by her former supervisors and the current Register of Deeds in Rock County.
7. **Reports of Committees**
  - A. Library Board Report – Megan gave a handout on the Arrowhead Library System which the Evansville Library is part of. The previous night the Library hosted an author and had over 30 attendees. The Library Board approved a 6 month trial with Hoopla.
  - B. Youth Center Advisory Board Report – Brooks stated they have not meet since last meeting but they did have an open house at the center. The kids were enthusiastic about giving attendees a tour of the facility.
  - C. Plan Commission Report – Manring reported that the commission met briefly to review a CUP application for a detached garage.
  - D. Finance and Labor Relations Committee Report
    - (1). Cole made a motion to accept the City and Water & Light bills as presented in the amount of \$1,635,487.42, Manring seconded. Brooks asked about a records charge for salt and sand from Rock and Green County on page 13 of the bills. Rigg stated it is likely an administrative fee for the City buying

salt and sand from the County's at cost or state price. Upon roll call the motion passed 7-0.

- (2). Manring made a motion to approve Resolution 2016-16 Authorized Signatures; Cole seconded. Upon roll call the motion passed 7-0.

E. Public Safety Committee Report

- (1). Montgomery made a motion to approve Fourth of July Run/Walk Route; Cole seconded. Montgomery said this was on the Common Council agenda as it was not timely added to the Public Safety agenda. Motion passed 7-0.
- (2). Montgomery made a motion to approve ALS/BLS Intergovernmental Billing Agreement with Dane County; Cole seconded. Rigg stated this is for the intercepts and the billing for the service. This is an update to previous agreements. Motion passed 7-0.
- (3). Montgomery made a motion to approve 3 year Subscription Renewal Agreement for "I am Responding"; Brooks seconded. Rigg stated this program is used for scheduling and notifying available EMTs, especially on second out calls, who is available for a run. Public Safety Committee determined 3 years is adequate not knowing the future of EMS to go out 5 years but confident enough to go longer than 1 year without changes. Questions from the public about the program were asked. Motion passed 7-0.
- (4). Brooks made a motion to approve the Original Alcohol Beverage License applications as listed, subject to passing any required follow-up inspections prior to license issuance; Cole seconded.

**Class "B" Beer/"Class B" Liquor Licenses**

- a. Creekside Place Inc., Kelly J. Czerwonka, Agent, 215 Campion Dr, Evansville, WI 53536, d/b/a Creekside Place Inc., 102 Maple Street, Evansville, WI 53536.
- b. Evansville Memorial Post 6905 VFW, David Powers, Agent, 38 N. 4th St, Evansville, WI 53536, d/b/a VFW Memorial Post, 179 E. Main Street, Evansville, WI 53536.

Motion passed 7-0.

- (5). Brooks made a motion to approve the Renewal Alcohol Beverage License applications as listed, subject to passing any required follow-up inspections prior to license issuance; Cole seconded. Brooks moved to amend the motion by removing Landmark Services Class "A" Beer license; Manring seconded. Motion to amend passed 7-0

**Class "B" Beer/"Class B" Liquor Licenses**

- a. The Night Owl Food & Spirits, Inc., Gregory P Ardisson, Agent, 217 N. Sixth Street, Evansville, WI 53536, d/b/a The Night Owl Food & Spirits, Inc., 19 E. Main Street, Evansville, WI 53536.
- b. Pete's Inn Inc., Linda A Church, Agent, 555 S. Fifth Street, Evansville, WI 53536, d/b/a Pete's Inn Inc., 14 N. Madison Street, Evansville, WI 53536.
- c. Oyan, Mark Allen, Mark Oyan, Agent, 435 Bowlavard Avenue, Belleville, WI, 53508, d/b/a Blue Devil Bowl, 108 E. Main Street, Evansville, WI 53536.

**Class "A" Beer/"Class A" Liquor License for:**

- a. Goodspeed Gas N Go Inc., Bradley Neil Goodspeed, Agent, 6045 N. Eagle Road, Janesville, WI 53548, d/b/a Goodspeed Gas N Go Inc., 350 Union Street, Evansville, WI 53536.
- b. Francois Oil Co Inc., Steven J. Merry, Agent, 5427 Glenway Circle, Oregon, WI 53575, d/b/a The Grove Quik Mart, 230 E. Main Street, Evansville WI 53536.
- c. Kopecky's Worldwide Foods, Inc., James Dean Kopecky, Agent, 8017 N. Ridge Court, Evansville, WI, 53536, d/b/a Kopecky's Piggly Wiggly, 8 N. County Road M, Evansville, WI 53536.
- d. Madison Street Express, Inc., Parminder Sekhon, Agent, 2644 Granite Road, Fitchburg, WI 53711, d/b/a All-N-One, 104 S. Madison Street, Evansville, WI 53536.

**Class "B" Beer and "Class C" Wine License for:**

- a. Real Coffee at Daun LLC, Daun Fugate, Agent, 135 S. Sixth Street, Evansville, WI 53536, d/b/a Real Coffee at Daun LLC, 25 W. Main Street, Evansville, WI 53536.
- b. DeBroux House Café, Coffee & Catering, George G. DeBroux, Agent, 103 Maple Street, Evansville, WI 53536, d/b/a DeBroux House Café, Coffee & Catering, 18 E. Main Street, Evansville, WI 53536.

Main motion passed 7-0.

- (6). **Class "A" Beer License.** Brooks made a motion to approve Class "A" Beer License for: Landmark Services Cooperative, Lee Dammen, Agent, 13912 W. Northridge Drive, Evansville, WI 53536, d/b/a Cenex Convenience Store of Evansville, 9 John Lindemann Drive, Evansville, WI 53536; Manring seconded. After discussion about missing information on the application, Manring withdrew his second and asked this item be placed on next month's agenda. No further action was taken.

**F. Municipal Services Report**

- (1). Ladick made a motion to approve Resolution 2016-14 Resolution Providing for the Sale of Approximately \$3,690,000 Water and Electric System revenue Bonds; Manring seconded. Rigg gave a brief explanation about that the bond would refinance \$1,805,000 of existing debt saving approximately \$115,000 over ten years. Splitting the payment schedule over 10 and 20 years instead of all the debt being 10 years would save about \$100,000 annually in payments. This borrowing included a truck in 2017, transmission line projects scheduled in 2016 and 2017 as well as the 1<sup>st</sup> Street rebuild. Manring asked why we were borrowing for something not approved yet in the budget. Rigg said this is not an obligation and that discussion can take place next month in committee and Council. Upon rollcall the motion passed 8-0.
- (2). Ladick made a motion to approve City Administrator to solicit bids for \$185,000 in Sewer System Revenue Bonds; Cole seconded. Rigg stated this is to allow the bond process to start for the sewer portion of 1<sup>st</sup> Street and have the money ready by time of construction. Upon rollcall the motion passed 8-0.
- (3). Ladick made a motion to approve Resolution 2016-15 A Resolution Authorizing the City Engineer to Negotiate Necessary Easements Along the

North Side of Montgomery Court for Sidewalk Installation; Brooks seconded. Montgomery asked the purpose of the resolution. Rigg gave a brief history of the narrow right of way, the decision to place sidewalks along the north side of the road, and the need for easements to have proper sidewalk installation. Mark Kopp explained this is exchanging the easement purchase for the cost of the assessment which will be even. Motion passed 8-0.

- (4). Ladick made a motion to approve preliminary design contract for WWTP upgrade with Town and Country Engineering; Brooks seconded. Rigg stated this agreement is twofold. One it allows the City to be reimbursed by the state later when it borrows funds and also gives approval to the engineer to move forward with the project and charge for their services. Upon rollcall the motion pass 8-0.

G. Economic Development Committee Report – Brooks gave an update on the committee reviewing a food truck ordinance and discussed development density.

H. Redevelopment Authority Report - None

I. Parks and Recreation Board Report – Ladick reported that there were concerns about disc golf patrons walking onto private property accidentally. Temporary markers and rope fencing was installed to mark the park boundaries. Progress continues on the ADA swing, the City hired a new Aquatic Director, and the board waived the fees for the Jays use of the baseball field and the Grove Society using the horse barn on August 28, 2016.

J. Historic Preservation Commission Report – Lewis reported on the locations reviewed by the historic preservation commission. Applications for building work were reviewed for 39 W Main, 10 E Main, 18 W Main, and 347 W Main. The commission reviewed the Boy Scouts plans and requests for time capsule and flag pole at their building. There was discussion about the type and number of memorial benches at Leonard/Lake Leota Park. Lewis said it appears people are coming to the commission more to go over their plans and feels the ordinance change is making a difference.

K. Fire District Report – Montgomery reported that the district held its officer election and every person on the board retained their previous post.

L. Police Commission Report - None

M. Energy Independence Team Report – Has not met yet.

N. Board of Appeals Report - None

## 8. Unfinished Business

A. Manring made a motion to approve the Mayoral appointment of Ald. Montgomery as a committee member to the Finance and Labor Relations Committee; Lewis seconded. Brooks asked Mark Kopp to clarify why this is being revisited. Kopp explained that when the Council amended the Mayors appointment on April 19, 2016, it was not the Mayor's amendment and therefore they took authority away from the Mayor. The ordinance is clear that the Mayor makes the appointment. Kopp said it can be validly argued that the 2 appointments made by the Mayor, not

amended by the Council, were legitimately approved. Upon rollcall the motion passed 7-1 with Brooks voting “no”.

- B. Manring made a motion to approve the Mayoral appointments of Amanda Firgens, 218 Joshua Drive, for a three-year term as School District Representative, to the Eager Free Public Library Board of Trustees; Brown seconded. Upon rollcall the motion passed 8-0.
  - C. Manring made a motion to approve the Second Reading of Ordinance 2016-06, an Ordinance Creating Article III of Chapter 118 of the Municipal Code Regulating Wireless Communications Facilities, and its Amendment, and Establishing a Mobile Tower Siting Permit Ordinance; Brooks seconded. Sergeant gave a brief explanation of why this ordinance change is taking place and what it means. This change is to have the City’s ordinances aligned with what the State has passed regarding cell towers in 2013. Montgomery and Stuart stated their concern about public input, recourse and safety. Manring stated that cell towers or mobile device towers are now becoming part of critical infrastructure like old phone lines were. Sergeant stated that while our enforcement is limited due to the State law, we at least now have a process for discussion and will charge a reasonable fee. Motion passed 8-0.
9. Communications and Recommendations of the Administrator – Rigg stated that he is making progress with the phone system and reducing the costs already. The pool is receiving some repairs and cleaning; the pool is being prepped for the summer. The City has received excess sponsorships and staff are looking to arrange other uses of the donations with the contributors blessing. In June the department heads will meet to go over the capital budget for 2017. Progress on switching personal cell phones off the City account to individual accounts is 3 of 6 complete to date. Applications for the electrical lineman are coming in. There are currently 35 business and 157 residential disconnection sent and the disconnection day is May 18<sup>th</sup>. The handicap door openers have been installed at City Hall.
10. Communications and Recommendations of the Mayor
- A. Mayor Hurtley read aloud Mayoral Proclamation of Municipal Clerks Week 2016
  - B. Mayor Hurtley read aloud Mayoral Proclamation of Public Works Week 2016
  - C. Mayor Hurtley read aloud Mayoral Proclamation of EMS Week 2016
  - D. Mayor Hurtley provided a copy of the State of the City 2016 in the packet and gave a quick overview. Points of emphasis were on the City’s strong financial position, the need for a public works facility, staffing needs in the Finance office, records management and emergency services.
11. New Business - none
12. Introduction of New Ordinances
- A. First Reading of amended Ordinance 2016-05, Stop Sign Ordinance Amendment was presented by Brooks.
13. Meeting Reminders:
- A. Regular Meeting: Tuesday, June 14, 2016 6:30 p.m., City Hall
14. Adjournment. Cole made a motion to adjourn; Brown seconded at 7:54. Motion passed 8-0.